

LAW OFFICES OF BEN M. GONEK

500 Griswold Street, Suite 2450

Detroit, Michigan 48226

Telephone: (313) 963-3377

Facsimile: (313) 963-9310

Ben M. Gonek
ben@goneklaw.com

October 12, 2018

Honorable Anthony P. Patti, United States Magistrate Judge
Theodore Levin United States Courthouse
231 Lafayette Boulevard, Room 524
Detroit, Michigan 48226

Re: State Farm v. Elite Health Centers, et al., 16-cv-13040
REVISED Request to file Motion for Reconsideration on Request for Leave to File
Motion for Protective Order

Dear Judge Patti:

Jayson Rosett seeks leave to file a motion for reconsideration of the "text order" denying Jayson Rosett's request for leave to file a motion for a protective order. The text order denies Mr. Rosett's request because 1: Mr. Rosett has not been indicted yet¹; 2) "Mr. Rosett is under investigation for money laundering and conspiring to defraud the Internal Revenue Service, not for health care or insurance fraud as alleged here; and 3) the other parties, including the codefendants, would suffer prejudice if a stay were granted. Mr. Rosett respectfully suggests had the Court granted leave and allowed Mr. Rosett to file a Motion the Court would have seen that two of the above reasons are incorrect.

Mr. Rosett seeks leave to file a Motion for Reconsideration for the following reasons:

¹ Mr. Rosett has not been indicted yet. He will be proceeding by way of Information the beginning of November.

A. Mr. Rosett is under investigation and will be prosecuted for events that led to the health care fraud and insurance fraud as alleged in the Complaint by State Farm.

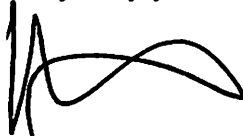
The nature of the criminal case against Mr. Rosett is that he conspired with others including some of the named Defendants to bribe police officers to obtain unofficial accident reports. The Government's investigation also reveals that some of the Elite Defendants and Mr. Rosett had an entity incorporated so that the monies used to bribe the police officers could be laundered through payments to this entity. After the unofficial reports were obtained, they were provided to the Elite entities and the Michael Morse law firm for the purpose of soliciting patients for the Elite entities and clients for the Michael Morse law firm. In their investigation, the Government also alleges Mr. Rosett misrepresented information to the Government to conceal Mr. Rosett's and some of the named codefendants involvement in the instant offense.

B. Mr. Rosett did not ask for a Stay of Proceedings he merely asked for a Protective Order adjourning the deposition 60 days.

Mr. Rosett is not seeking a Stay of Proceedings. Mr. Rosett has complied with his discovery obligations to date. In fact he has produced documents and answered interrogatories. He has also produced several thousand documents which included emails that shows what could be construed as his involvement, the Elite Defendants involvement, and the Michael Morse law firm's involvement in the procurement of unofficial accident reports. Mr. Rosett is simply seeking a sixty day adjournment of his scheduled deposition. The parties now are scheduling depositions of other witnesses for late November early December. There would certainly be no harm or prejudice to anyone adjourning Mr. Rosett's deposition until late December. Once again, he is not asking for a Stay of Proceedings.

Thank you for your consideration of this request. I apologize for not providing the Court with the above referenced facts in my initial request.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ben M. Gonek', with a stylized, flowing script.

Ben M. Gonek

Cc: Hon. Avern Cohn